IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

Bail Appl..No. 7214 of 2006(P)

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SC.120/2006 of ADDL.DISTRICT COURT (ADHOC), KOTTAYAM
Crime No.110/2005 of Ettumanoor Police Station

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PETITIONERS/A1 & A2:

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1. P.P.PRIYAN AGED 32,
S/O.P.K.PRAKASAN, PEEDIEKKAL HOUSE,
PALLURUTHY P.O.

2. SUNIL AGED 28,
S/O.GEORGE WILSON,
EDATHIL HOUSE, EDAKKOCHI.

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENT: COMPLAINANT:

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STATE OF KERALA, REPRESENTED
BY THE DEPUTY SUPERINTENDENT OF POLICE,
KOTTAYAM, (CRIME 110/05) REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY D.G.P. SHRI. P.G. THAMPI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V.Ramkumar, J.**
**==========**
**B.A.No.7214 of 2006**
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**Dated this the 13th day of December, 2006.**

**ORDER**

Petitioners, who are accused Nos. 3 and 4 in Crime No.110 of 2005 of Ettumanoor Police Station for offences punishable under Section 120(B), 364, 302, 419 and 201 read with Section 34 I.P.C., seek their enlargement on bail.

2. Accused Nos. 1 and 2 in the case were tried and convicted by the Principal Sessions Court in S.C.No.145 of 2005 and their appeal is stated to be pending before this Court. Since the petitioners were absconding, the case against them were split up and transferred to the long pending register . Subsequently on 19.1.1006, the petitioners surrendered before the Investigating Officer. The case against them is now pending before the Additional Sessions Court (Adhoc I), Kottayam as S.C. No.120 of 2006.

3. I heard learned counsel for the petitioner as well as the learned Director General of Prosecution.

4. Since an earlier application for bail filed by the petitioners was rejected by this Court directing expeditious disposal of the Sessions Case, I do not think that the petitioners can be granted bail at this stage. The only order which is warranted is an order to expedite the trial. Accordingly, the Additional Public Prosecutor, who is in charge of the Additional Sessions Court (Adhoc I), Kottayam shall conduct the prosecution in the case unless the Principal Public Prosecutor himself has volunteered to conduct the case in that court. The Additional Sessions Court shall take hasty steps to proceed with the trial. The Additional Sessions Court shall also send a report to the Registry of this Court within one week from the date of receipt of a copy of this order stating the present stage of S.C.No.120 of 2006 and the date to which the case has been scheduled for examination of the prosecution witnesses.

This application is dismissed with the above directions.

V.Ramkumar,
Judge.

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